

BRB No. 03-0566

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|------------------------|---|----------------------------------|
| ISAAC JOHNSON, Jr. |) | |
| |) | |
| Claimant-Respondent |) | |
| |) | |
| v. |) | |
| |) | |
| CERES MARINE TERMINALS |) | DATE ISSUED: <u>May 17, 2004</u> |
| |) | |
| Self-Insured |) | |
| Employer-Petitioner |) | ORDER |

By letters filed on May 3, 2004, the parties informed the Board that they have reached a settlement agreement. They move that the Board dismiss employer's appeal and remand the captioned case to the administrative law judge for approval of the settlement agreement pursuant to Section 8(i) of the Act, 33 U.S.C. §908(i).

We grant the parties' motion. Employer's appeal is dismissed without prejudice, and the case is remanded to the administrative law judge for consideration of the parties' settlement agreement. 33 U.S.C. §908(i); 20 C.F.R. §§702.241-243. In the event that the proposed settlement is not approved and the petitioner wishes review of the merits of this appeal, the Board will reinstate the appeal upon the request of the petitioner.

NANCY S. DOLDER, Chief
Administrative Appeals Judge

REGINA C. McGRANERY
Administrative Appeals Judge

BETTY JEAN HALL
Administrative Appeals Judge